

REMARKS

Reconsideration and allowance of this application are respectfully requested in light of the above amendments and the following remarks.

Claims 1-25 have been cancelled in favor of new claims 26-43. Support for the subject matter of the new claims is provided for example in the original claims.

Claims 1-25 were rejected, under 35 USC § 102(e), as being anticipated by Texerman et al. (US 2004/0141522). To the extent these rejections may be deemed applicable to new claims 26-42, the Applicant respectfully traverses based on the following points.

Claim 26 recites subject matter of cancelled claims 1 and 10 and defines a radio communication method in which a radio communication terminal: (1) acquires in advance a received header of data communicated between other radio communication terminals and (2) refers to this received header when processing data received from a radio communication terminal without a header. The claimed subject matter provides an advantage of supporting reduction of transmission of overhead data and improving transmission efficiency (see specification page 6, line 21, through page 7, line 2). (References herein to the specification and drawings are for illustrative purposes only and are not intended to limit the scope of the invention to the referenced embodiments.)

The Office Action proposes that Texerman discloses the above-mentioned subject matter of claim 26 in paragraphs [0006]-[0008], [0032], [0064]-[0067], and [0082] (see Office Action page 6, third paragraph).

Although Texerman discloses transmitting an Arbitrator entity (ARB) message fewer times than once every period of two time slices (see Texerman paragraph [0064]), this disclosure

does not imply that a previously received ARB message is referenced when processing received data, as seemingly proposed in the Office Action (see Office Action page 6, third paragraph). Instead, Texerman discloses that the ARB message is used by wireless terminals operating in two incompatible networks for scheduling the transmission of data (see paragraphs [0063]-[0064]). More specifically, the ARB message indicates a first time slice when wireless terminals of a first network may transmit data and a second time slice when wireless terminals of a second network may transmit data (see paragraphs [0063] and [0065]). The size of each time slice may be determined in accordance with the number of wireless terminals in each network, network traffic, and other communication parameters (see paragraph [00109]). By allocating different time slices to each network for their respective data transmissions, Texerman's system supports the coexistence of two incompatible networks sharing a common transmission medium by precluding transmission interference between the two networks (see paragraph [0062] and abstract).

Nowhere does Texerman disclose that a previously acquired ARB message is referenced by a wireless terminal when processing data received without an ARB message. Thus, Texerman does not identically disclose the claimed subject matter of referencing a previously acquired header when processing data received from a radio communication terminal without a header.

Accordingly, the Applicant submits that Texerman does not anticipate the subject matter defined by new claim 26. Independent claims 37 and 40 similarly recite the above-mentioned subject matter distinguishing method claim 26 from Texerman, but with respect to apparatuses.

Therefore, allowance of claims 26, 37, and 40 and all claims dependent therefrom is deemed to be warranted.

In view of the above, it is submitted that this application is in condition for allowance, and a notice to that effect is respectfully solicited.

If any issues remain which may best be resolved through a telephone communication, the Examiner is requested to telephone the undersigned at the local Washington, D.C. telephone number listed below.

Respectfully submitted,

/James Edward Ledbetter/

Date: December 17, 2008
JEL/DWW/att

James E. Ledbetter
Registration No. 28,732

Attorney Docket No. 008638-04106
Dickinson Wright PLLC
1875 Eye Street, NW, Suite 1200
Washington, DC 20006
Telephone: (202) 659-6966
Facsimile: (202) 659-1559